

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DOUGLAS GUILÉ #429156,

Plaintiff,

File no: 2:19-cv-138

v.

HON. ROBERT J. JONKER

TYLER SPENCE, et al.,

Defendants.

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**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on April 5, 2021 (ECF No. 28). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 28) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant Spence's motion for summary judgment (ECF No. 24) is **DENIED**. The Eighth Amendment excessive-force claims against COs Rolison and Spence remain pending.

Date: April 30, 2021

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE